

**Resolution**

**No 2**

## RESOLUTION OF THE EDUCATION LABOUR RELATIONS COUNCIL

### RESOLUTION NO. 2 OF 1996 : SECOND AGREEMENT ON TIME OFF AND SECONDMENT

The parties acknowledge the following:

- \* Resolution No. 8 of 1995 dealing with time off and secondment.
- \* The problems being experienced by national negotiators, especially those appointed by employee organisations, relating to the number of meetings which they have to attend, and that this has a negative and disruptive effect on their work performance, especially if such negotiators are teachers.

The parties assigned hereto agree to the following entitlement in respect of national negotiators:

- (a) the entitlement shall apply only to national negotiators of employee organisations in the Bargaining Committee of the Council, who are educators at schools or colleges and who are representatives of the Council in terms of the provisions of clause 7(1)(b) of the constitution of the Council;
- (b) in addition to the entitlement provided for by Resolution No. 8 of 1995, employee organisations are entitled to have such national negotiators, seconded;
- (c) such secondment shall be for a maximum period of one (1) year at a time, renewable for such longer period as may be agreed to between the employer and relevant employee organisation;
- (d) the Secretary of the Council shall from time to time, furnish provincial heads of departments with the names and particulars of national negotiators;
- (e) an employee returning to duty, upon completion of the period of secondment, shall be assigned:
  - (i) in the case of a period of secondment of up to two (2) years, to the position/post that he/she would have held if the secondment had not been taken, or at his/her request, to another post/position agreeable to the employer, and
  - (ii) in the case of a period of secondment of more than two (2) years, to an equivalent position/post to that held prior to the secondment, which is acceptable to the employee, and which shall be reasonable and fair;

- (f) the employer shall remain responsible for the seconded employee's full remuneration package which is not subject to the provisions of subparagraph (b), page 7, of Resolution No. 8 of 1995 (Chapter G, paragraph 4(3)(b) of the PAM), while the relevant employee organisation shall be responsible for 50% of the full remuneration package of the temporary substitute; and
- (g) the provisions relating to the retention of benefits and method of payment, as provided for under the entitlement relating to secondment in terms of Resolution No. 8 of 1995, shall apply mutatis mutandis.

This agreement shall be subject to the provision of any applicable Act of Parliament or secondary legislation promulgated in terms thereof.

AGREEMENT SIGNED ON WEDNESDAY, THE 27TH DAY OF MARCH 1996 AT PRETORIA

EMPLOYEE ORGANISATION

EMPLOYER ORGANISATION

SMYV NIATLI

Ston. S. Nkomo

SAF (SAOF)

SATA (SATA)

SATU (CATU)

SADTU

APERK

ASAE

C.T.P.A.

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